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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado  
corporation; ORACLE AMERICA, INC., a  
Delaware corporation; and ORACLE  
INTERNATIONAL CORPORATION, a  
California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada  
corporation; and SETH RAVIN, an  
individual,

Defendants.

Case No. 2:10-cv-00106-LRH-VCF

**DECLARATION OF ERIC D.  
VANDEVELDE IN SUPPORT OF  
RIMINI'S OPPOSITION TO  
ORACLE'S MOTION TO PERMIT  
LIMITED DISCOVERY  
REGARDING RIMINI'S  
COMPLIANCE WITH THE  
COURT'S PERMANENT  
INJUNCTION**

1 I, Eric D. Vandavelde, declare as follows:

2 1. I am an attorney admitted *pro hac vice* to practice before this Court. I am a  
3 partner at the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys  
4 representing Defendants Rimini Street, Inc. (“Rimini”) and Seth Ravin in the above-captioned  
5 case. I submit this declaration in support of Rimini’s Opposition to Oracle’s Motion to Permit  
6 Limited Discovery Regarding Rimini’s Compliance with the Court’s Permanent Injunction.  
7 The facts stated in this declaration are based on my personal knowledge, and if called upon as  
8 a witness I would and could testify competently to them.

9 2. In January and early February 2019, counsel for the parties exchanged several  
10 letters related to Oracle’s request that Rimini agree to reopen discovery in *Rimini I* and provide  
11 information purportedly related to Rimini’s compliance with the Court’s injunction. *See* ECF  
12 Nos. 1201-8–1201-11.

13 3. The final letter between the parties was sent by Rimini on February 7, 2019. In  
14 that letter, Rimini asked Oracle’s counsel to provide certain information related to Oracle’s  
15 requests and proposed that the parties meet and confer. ECF No. 1201-11.

16 4. Oracle did not respond to Rimini’s February 7 letter. Instead, on February 27,  
17 2019, Oracle filed the instant motion. ECF No. 1201. Oracle did not include with its motion  
18 the required declaration under Local Rule 26-7. Prior to filing the motion, Oracle’s counsel did  
19 not attempt to meet and confer with Rimini via telephone or in person. Nor did Oracle’s counsel  
20 provide any advance notice to Rimini that it intended to file its motion.

21 5. Attached to the Appendix of Evidence as **Exhibit 1** is a true and correct copy of  
22 the Opening Brief for Appellant Rimini Street, Inc. filed in the Ninth Circuit Court of Appeals  
23 in Case No. 18-16554 on November 26, 2018.

24 6. Attached to the Appendix of Evidence as **Exhibit 2** is a true and correct copy of  
25 the Answering Briefs for Appellees, filed in the Ninth Circuit Court of Appeals in Case No. 18-  
26 16554 on January 23, 2019.

27 7. Attached to the Appendix of Evidence as **Exhibit 3** is a true and correct copy of  
28 the transcript from the May 25, 2016 hearing in *Rimini I*.

8. Attached to the Appendix of Evidence as **Exhibit 4** is a true and correct excerpted copy of an article entitled “What links US Supreme Court, copyright legal bills, and stadium hot dog prices? A: Oracle” by Rebecca Hill, published online in The Register on March 4, 2019. On March 13, 2019, I visited [https://www.theregister.co.uk/2019/03/04/rimini\\_wins\\_oracle\\_supreme\\_court/](https://www.theregister.co.uk/2019/03/04/rimini_wins_oracle_supreme_court/) and downloaded a copy of this article.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on March 13, 2019, at Los Angeles, California.

*/s/ Eric D. Vandavelde*  
Eric D. Vandavelde

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: March 13 2019

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Eric D. Vandavelde  
Eric D. Vandavelde

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